

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CORNEL JACKSON,

Plaintiff,

v.

POUGE, *et al.*,

Defendants.

Case No.: 1:24-cv-01027-BAM (PC)

**ORDER DIRECTING PLAINTIFF TO
CLARIFY *IN FORMA PAUPERIS*
APPLICATION**

(ECF No. 4)

THIRTY (30) DAY DEADLINE

Plaintiff Cornel Jackson (“Plaintiff”) is a pretrial detainee proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. On September 18, 2024, Plaintiff submitted a motion to proceed *in forma pauperis*. (ECF No. 4.)

In Plaintiff’s application to proceed *in forma pauperis*, Plaintiff reported that he “received a civil rights settlement which was signed over to his children in the amount of \$4,000.00.” (ECF No. 4, p. 1.) However, the certification portion of the application, completed by the Madera County Sheriff – Jail Division, states that Plaintiff has the sum of \$0.00 on account at that institution, Plaintiff’s average monthly balance during the past six months was \$0.00, and during the past six months the average monthly deposits to Plaintiff’s account was \$0.00. (*Id.* at 2.) Plaintiff does not state the date the settlement was paid, whether the \$4,000.00 was the full

1 settlement amount or merely the amount signed over to Plaintiff's children, or whether Plaintiff
2 has access to any of the settlement funds.

3 As the evidence before the Court of Plaintiff's assets is inconclusive, the Court will
4 provide Plaintiff with an opportunity to clarify his financial condition and adequately demonstrate
5 financial hardship. Specifically, Plaintiff should state the total settlement amount and whether he
6 currently has access to any of the settlement funds, and if he does, why he is not using those funds
7 to pay the filing fee for this action. Plaintiff is not required to submit a new application to
8 proceed in forma pauperis.

9 Accordingly, IT IS HEREBY ORDERED as follows:

- 10 1. Within **thirty (30) days** from the date of service of this order, Plaintiff shall clarify his
11 financial condition, as discussed above, or in the alternative, pay the \$405.00 filing fee for
12 this action;
- 13 2. No extension of time will be granted without a showing of good cause; and
- 14 3. **Plaintiff is warned that the failure to comply with this order will result in dismissal**
15 **of this action, without prejudice, for failure to comply with a court order.**

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17 IT IS SO ORDERED.

18 Dated: September 18, 2024

19 /s/ Barbara A. McAuliffe
20 UNITED STATES MAGISTRATE JUDGE
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